

STAYED,TYPE I-FOIA

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:15-cv-01246-KBJ**

BRICK v. DEPARTMENT OF JUSTICE
Assigned to: Judge Ketanji Brown Jackson
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 08/03/2015
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**CHRISTOPHER BRICK**

represented by **Scott Lawrence Nelson**
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TERMINATED: 04/19/2017

V.

Defendant**DEPARTMENT OF JUSTICE**

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TERMINATED: 12/20/2018

Date Filed	#	Docket Text
08/03/2015	<u>1</u>	COMPLAINT against DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-4196712) filed by CHRISTOPHER BRICK. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Civil Cover Sheet)(Clattenburg, Rachel)

		(Entered: 08/03/2015)
08/03/2015		Case Assigned to Judge Ketanji Brown Jackson. (md) (Entered: 08/03/2015)
08/03/2015		SUMMONS Not Issued as to DEPARTMENT OF JUSTICE, U.S. Attorney, U.S. Attorney General. (INCORRECT SUMMONS ARE FILED AT THE TIME COMPLAINT WAS FILED. COURT NEEDS FOIA SUMMONS.) (md) (Entered: 08/03/2015)
08/03/2015	<u>2</u>	REQUEST FOR SUMMONS TO ISSUE by CHRISTOPHER BRICK re <u>1</u> Complaint filed by CHRISTOPHER BRICK. Related document: <u>1</u> Complaint filed by CHRISTOPHER BRICK. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons)(Clattenburg, Rachel) (Entered: 08/03/2015)
08/03/2015	<u>3</u>	GENERAL ORDER AND GUIDELINES FOR CIVIL CASES BEFORE JUDGE KETANJI BROWN JACKSON. The Court will hold the parties and counsel responsible for following these directives; failure to conform to this Order may, when appropriate, result in the imposition of sanctions. Signed by Judge Ketanji Brown Jackson on 08/03/2015. (lckbj1) (Entered: 08/03/2015)
08/04/2015	<u>4</u>	SUMMONS (3) Issued Electronically as to DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (jf) (Entered: 08/04/2015)
08/05/2015	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/4/2015. Answer due for ALL FEDERAL DEFENDANTS by 9/3/2015. (Clattenburg, Rachel) (Entered: 08/05/2015)
08/12/2015	<u>6</u>	NOTICE of Appearance by Joshua M. Kolsky on behalf of DEPARTMENT OF JUSTICE (Kolsky, Joshua) (Entered: 08/12/2015)
08/13/2015	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 08/10/2015. (Attachments: # <u>1</u> Exhibit)(Clattenburg, Rachel) (Entered: 08/13/2015)
08/13/2015	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF JUSTICE served on 8/10/2015 (Attachments: # <u>1</u> Exhibit)(Clattenburg, Rachel) (Entered: 08/13/2015)
09/03/2015	<u>9</u>	ANSWER to Complaint by DEPARTMENT OF JUSTICE.(Kolsky, Joshua) (Entered: 09/03/2015)
09/16/2015	<u>10</u>	Joint MOTION for Briefing Schedule by CHRISTOPHER BRICK (Attachments: # <u>1</u> Text of Proposed Order)(Clattenburg, Rachel) (Entered: 09/16/2015)
09/17/2015		MINUTE ORDER granting <u>10</u> Motion for Briefing Schedule and setting briefing schedule for summary judgment motions. Defendant's Motion for Summary Judgment is due by 11/3/2015. Plaintiff's Consolidated Opposition and Cross-Motion for Summary Judgment is due by 12/8/2015. Defendant's Consolidated Reply and Opposition to Plaintiff's Cross-Motion is due by 12/29/2015. Plaintiff's Reply in Support of Cross Motion is due by 1/19/2016. Signed by Judge Ketanji Brown Jackson on 09/17/2015. (lckbj1,) (Entered: 09/17/2015)
11/02/2015	<u>11</u>	Consent MOTION for Extension of Time to File <i>Summary Judgment Motion</i> by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Kolsky, Joshua) (Entered: 11/02/2015)
11/05/2015		MINUTE ORDER granting, for good cause shown, <u>11</u> Consent Motion for Extension of Time to File Summary Judgment Motion. It is hereby ORDERED that the briefing schedule in this matter is modified as follows: Defendant's Motion for Summary Judgment is due by 11/17/2015. Plaintiff's Consolidated Opposition and Cross-Motion for Summary Judgment is due by 12/22/2015. Defendant's Consolidated Reply and Opposition to Plaintiff's Cross-Motion is due by 1/12/2016. Plaintiff's Reply in Support of Cross Motion is due by 2/2/2016. Any further requests for extensions of time must comply with <u>3</u> the Court's General Order and Guidelines for Civil Cases. Counsel are specifically directed to Section 5 of the Appendix to the General Order and Guidelines. Signed by Judge Ketanji Brown Jackson on 11/5/2015. (lckbj1) (Entered: 11/05/2015)

11/06/2015		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 12/22/2015. (gdf) (Entered: 11/06/2015)
11/17/2015	<u>12</u>	MOTION for Summary Judgment by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit, # <u>3</u> Text of Proposed Order)(Kolsky, Joshua) (Entered: 11/17/2015)
11/18/2015		MINUTE ORDER. On 8/3/2015, this Court issued its <u>3</u> General Order and Guidelines for Civil Cases, which lays out in detail instructions for briefing any motion in this matter. Defendants <u>12</u> Motion for Summary Judgment, does not conform to these instructions in that it does not contain a Table of Contents and Table of Authorities (5(a)(i)). Accordingly, it is hereby ORDERED that by 12/4/2015, Defendant shall file an ERRATA attaching an updated copy of their <u>12</u> Motion for Summary Judgment that fully complies with this Court's <u>3</u> General Order and Guidelines. The Court previously ordered the parties to comply the <u>3</u> General Order and Guidelines with respect to all filings; the Court may sua sponte strike any non-compliant future filings. Signed by Judge Ketanji Brown Jackson on 11/18/2015. (lckbj1) (Entered: 11/18/2015)
11/25/2015	<u>13</u>	NOTICE of Errata by DEPARTMENT OF JUSTICE re <u>12</u> MOTION for Summary Judgment (Attachments: # <u>1</u> Exhibit (Motion for Summary Judgment), # <u>2</u> Exhibit (Proposed Order), # <u>3</u> Exhibit (Declaration), # <u>4</u> Exhibit (Exhibits))(Kolsky, Joshua) (Entered: 11/25/2015)
12/22/2015	<u>14</u>	Cross MOTION for Summary Judgment by CHRISTOPHER BRICK (Attachments: # <u>1</u> Affidavit of Christopher Brick, # <u>2</u> Exhibit to Brick Declaration, # <u>3</u> Text of Proposed Order)(Clattenburg, Rachel) (Entered: 12/22/2015)
12/22/2015	<u>15</u>	Memorandum in opposition to re <u>12</u> MOTION for Summary Judgment filed by CHRISTOPHER BRICK. (Attachments: # <u>1</u> Affidavit of Christopher Brick, # <u>2</u> Exhibit to Brick Declaration, # <u>3</u> Text of Proposed Order)(Clattenburg, Rachel) (Entered: 12/22/2015)
01/08/2016	<u>16</u>	Consent MOTION for Extension of Time to <i>File Combined Summary Judgment Reply and Opposition Memorandum</i> by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Kolsky, Joshua) (Entered: 01/08/2016)
01/13/2016		MINUTE ORDER granting, for good cause shown, <u>16</u> Consent Motion for Extension of Time to File Combined Summary Judgment Reply and Opposition Memorandum, nunc pro tunc to 1/12/2016. It is hereby ORDERED that the briefing schedule in this matter is modified as follows: Defendant's Consolidated Reply and Opposition to Plaintiff's Cross-Motion is due by 1/26/2016. Plaintiff's Reply in Support of Cross Motion is due by 2/16/2016. Signed by Judge Ketanji Brown Jackson on 1/13/2016. (lckbj1) (Entered: 01/13/2016)
01/27/2016	<u>17</u>	Consent MOTION for Extension of Time to <i>File Combined Summary Judgment Opposition/Reply</i> by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Kolsky, Joshua) (Entered: 01/27/2016)
02/01/2016	<u>18</u>	REPLY to opposition to motion re <u>12</u> MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Statement of Facts (Response), # <u>2</u> Declaration)(Kolsky, Joshua) Modified on 2/2/2016 (jf). (Entered: 02/01/2016)
02/01/2016	<u>19</u>	Memorandum in opposition to re <u>14</u> Cross MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Statement of Facts (Response), # <u>2</u> Declaration)(Kolsky, Joshua) Modified on 2/2/2016 (jf). (Entered: 02/01/2016)
02/02/2016		MINUTE ORDER granting, for good cause shown, <u>17</u> Consent Motion for Extension of Time to File Combined Summary Judgment Reply and Opposition, nunc pro tunc. It is hereby ORDERED that the briefing schedule in this matter is modified as follows: Defendant's Consolidated Reply and Opposition to Plaintiff's Cross-Motion is due by 2/1/2016. Plaintiff's Reply in Support of Cross Motion is due by 2/22/2016. Signed by Judge Ketanji Brown Jackson on 2/2/2016. (lckbj1) (Entered: 02/02/2016)
02/22/2016	<u>20</u>	REPLY to opposition to motion re <u>12</u> MOTION for Summary Judgment , <u>14</u> Cross MOTION for Summary Judgment filed by CHRISTOPHER BRICK. (Clattenburg, Rachel) (Entered: 02/22/2016)

02/22/2016	<u>21</u>	NOTICE of Errata by DEPARTMENT OF JUSTICE re <u>12</u> MOTION for Summary Judgment (Attachments: # <u>1</u> Declaration)(Kolsky, Joshua) (Entered: 02/22/2016)
04/13/2017	<u>22</u>	NOTICE of Appearance by Scott Lawrence Nelson on behalf of CHRISTOPHER BRICK (Nelson, Scott) (Entered: 04/13/2017)
04/19/2017	<u>23</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to CHRISTOPHER BRICK. Attorney Rachel M. Clattenburg terminated. (Clattenburg, Rachel) (Entered: 04/19/2017)
11/09/2017	<u>24</u>	MEMORANDUM OPINION AND ORDER denying without prejudice <u>12</u> , <u>14</u> Motion for Summary Judgment, requiring parties to submit proposed schedule for renewed summary judgment briefing on or before 12/8/2017, and requiring submission of documents for in camera review. See attached document for details. Signed by Judge Ketanji Brown Jackson on 11/9/2017. (lckbj1) (Entered: 11/09/2017)
12/08/2017	<u>25</u>	PROPOSED BRIEFING SCHEDULE (<i>Joint</i>) by DEPARTMENT OF JUSTICE. (Kolsky, Joshua) (Entered: 12/08/2017)
12/26/2017		MINUTE ORDER adopting the parties' proposed schedule for renewed motions for summary judgment. It is hereby ORDERED that the following briefing schedule is set in this matter: Defendant's motion for summary judgment is due on or before 2/1/2018; Plaintiff's consolidated opposition and cross-motion for summary judgment is due on or before 3/1/2018; Defendant's consolidated reply and cross-motion opposition is due on or before 3/22/2018; Plaintiff's cross-motion reply is due on or before 4/5/2018. Signed by Judge Ketanji Brown Jackson on 12/26/2017. (lckbj1) (Entered: 12/26/2017)
02/01/2018	<u>26</u>	MOTION for Summary Judgment (<i>Renewed</i>) by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Declaration (Fourth Hardy Declaration), # <u>2</u> Text of Proposed Order)(Kolsky, Joshua) (Entered: 02/01/2018)
02/01/2018	<u>27</u>	NOTICE of Lodging Classified Declaration and Unredacted Documents with Classified Information Security Officer by DEPARTMENT OF JUSTICE (Kolsky, Joshua) (Entered: 02/01/2018)
03/01/2018	<u>28</u>	Cross MOTION for Summary Judgment <i>Renewed</i> by CHRISTOPHER BRICK (Attachments: # <u>1</u> Text of Proposed Order)(Nelson, Scott) (Entered: 03/01/2018)
03/01/2018	<u>29</u>	Memorandum in opposition to re <u>26</u> MOTION for Summary Judgment (<i>Renewed</i>) filed by CHRISTOPHER BRICK. (Attachments: # <u>1</u> Text of Proposed Order)(Nelson, Scott) (Entered: 03/01/2018)
03/21/2018	<u>30</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>28</u> Cross MOTION for Summary Judgment <i>Renewed</i> , <u>26</u> MOTION for Summary Judgment (<i>Renewed</i>) by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Kolsky, Joshua) (Entered: 03/21/2018)
03/26/2018		MINUTE ORDER granting <u>30</u> Consent Motion for Extension of Time to File Response/Reply re <u>28</u> Cross MOTION for Summary Judgment <i>Renewed</i> , <u>26</u> MOTION for Summary Judgment (<i>Renewed</i>). It is hereby ORDERED that Defendant's consolidated summary judgment reply and cross-motion opposition is due on or before 3/26/2018, and that Plaintiff's cross-motion reply is due on or before 4/9/2018. Signed by Judge Ketanji Brown Jackson on 03/26/2018. (lckbj1) (Entered: 03/26/2018)
03/26/2018	<u>31</u>	REPLY to opposition to motion re <u>26</u> MOTION for Summary Judgment (<i>Renewed</i>) filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Statement of Facts (Response))(Kolsky, Joshua) (Entered: 03/26/2018)
03/26/2018	<u>32</u>	Memorandum in opposition to re <u>28</u> Cross MOTION for Summary Judgment <i>Renewed</i> filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Statement of Facts (Response))(Kolsky, Joshua) (Entered: 03/26/2018)
04/09/2018	<u>33</u>	REPLY to opposition to motion re <u>28</u> Cross MOTION for Summary Judgment <i>Renewed</i> filed by CHRISTOPHER BRICK. (Nelson, Scott) (Entered: 04/09/2018)
09/27/2018		MINUTE ORDER. On February 1, 2018, Defendant filed a notice informing this Court that it had lodged with a Classified Information Security Officer ("CISO") at the

		Department of Justice a classified declaration and unredacted copies of the documents at issue in this litigation. (See ECF No. <u>27</u> .) Because the Court is currently awaiting receipt of these materials from the CISO, review of which is necessary to resolve the parties' renewed cross motions for summary judgment (ECF Nos. <u>26</u> , <u>28</u>), it is hereby ORDERED that this Court's consideration of the pending cross motions for summary judgment is ADMINISTRATIVELY STAYED. This stay is being imposed in the interest of judicial efficiency, and will be automatically lifted once the CISO delivers these materials to the Court. Signed by Judge Ketanji Brown Jackson on 09/27/2018. (lckbj1) (Entered: 09/27/2018)
12/20/2018	<u>34</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Paul Cirino on behalf of DEPARTMENT OF JUSTICE Substituting for attorney Joshua M. Kolsky (Cirino, Paul) (Entered: 12/20/2018)